

March 9, 2005
Regular Session

Minutes

Members present

D.C. Swaim- Chairman
Brady Wooten- Vice- Chairman
Leon Casstevens- Commissioner
Kim Clark Phillips- Commissioner
Allen Sneed- Commissioner

Others Present

Cecil E. Wood- County Manager
James Graham- County Attorney
Melinda Vestal- Clerk to the Board

Chairman Swaim called the meeting to order. Commissioner Sneed led the invocation. The Board had the pledge of allegiance.

Public comment

W.L. Eckard, Bryant Road, spoke against the rezoning request submitted by Mr. Jerry Bryant. He thanked the Board for the opportunity to speak.

Ed Powell, Attorney, represented several residents in the Bryant Road area who are against the rezoning. He questioned the zoning request and the issue of spot zoning.

Ronnie Childress, Bryant Road, discussed the impact to the area if the rezoning is approved. He requested the Board deny the petition to rezone.

Yancey St. John, Swan Creek, discussed a countywide condemnation ordinance. He also discussed the Swan Creek Road interchange.

Frank Zachary, Attorney, spoke on behalf of Mr. Bryant. He stated the zoning ordinance is to allow growth not stifle growth. The rezoning request is the highest level of zoning allowed. He gave the history of the petition; Planning Board approved the petition, Board of Commissioners denied and now the Planning Board has denied the petition. He urged the Board of Commissioners to look favorably on the petition.

Jerry Bryant, petitioner, thanked the Board for their time and efforts concerning his request. He emphasized the square footage of the homes of being no less than 1,200 and on average would be 1,900 square feet. He wants the best for Yadkin County.

Minutes

***Commissioner Wooten made the motion to approve the minutes with changes. Commissioner Sneed seconded. The Board voted 5-0.**

Economic Development- update/report

Mr. Bobby Todd gave an update on economic development in the county.

Solid Waste- leases

The Board discussed the leases for Sites 6 and 7.

***Commissioner Phillips made the motion to make all site leases \$1,000 per year for a ten year period. Commissioner Wooten seconded. The Board voted 4-1. Commissioner Sneed opposed.**

Commissioner Phillips inquired about the decrease in revenue.

Cheri Cranfill, Solidwaste Supervisor, stated revenues are typically down for this time of year.

Area Agency on Aging-board appointment

***Commissioner Wooten made the motion to table the appointment. Commissioner Casstevens seconded. The Board voted 3-2. Commissioners Swaim and Phillips opposed.**

JCPC- board appointment

***Commissioner Phillips made the motion to appoint Laura Lea Harris and Gary Anderson to the Juvenile Crime Prevention Council. Commissioner Wooten seconded. The Board voted 5-0.**

Public Buildings- budget amendment

Description	Account Number	Original Budget	Increase/Decrease	Amended
Revenue: Contingency	10-9910-9910	\$35,757	(\$3,300)	\$32,457
Expense Capital Out- Equipment	10-4260-5500	\$5,000	\$3,300	\$8,300

To move monies from Contingency into capital outlay-equipment in public buildings due to having to replace a heat pump unit at the courthouse.

***Commissioner Phillips made the motion to approve the budget amendment. Commissioner Sneed seconded. The Board voted 5-0.**

Chairman Swaim called for a break.

Tax Administration – property records

Chuck Goad, IT Director, presented information to the Board about a program that would enable Yadkin County property record cards to be viewed on line. The development of the program is a one-time cost of \$2,500 with a minimum billing of \$100 a month; upgrades will cost \$250 per month. Mr. Goad suggested updating every quarter. He commented all county departments would benefit from this program.

Commissioner Wooten stated he would like a demo of the how the information will appear on line. He questioned if this would be new money?

Mr. Wood stated the money being used for the cds would be turned over to this program.

Zoning-Jerry Bryant petition

The Board discussed how each of them had all spent a lot of time on this request.

***Commissioner Casstevens made the motion to rezone the property to residential restricted. Commissioner Wooten seconded.**

The Board voted 3-2. Commissioners Swaim and Phillips opposed.

EMS-loan proposals

Mr. Wood reviewed the proposals received for the proposed loan for the EMS and animal shelter project.

The Board discussed the proposal from BB&T.

***Commissioner Wooten made the motion to proceed with the proposal from BB&T making sure there are no prepayment penalties and to proceed with the grant application to Rural Development. Commissioner Phillips seconded. The Board voted 4-1. Commissioner Casstevens opposed.**

Tax Administration- property records

Chuck Goad presented a demonstration on the property tax cards.

***Commissioner Sneed made the motion to approve the property tax records program developed by NexGen with quarterly updates. Commissioner Casstevens seconded. The Board voted 5-0.**

Commissioner comments

Commissioner Casstevens requested a closed session at the end of commissioner comments.

Commissioner Sneed discussed the flooring at the new animal shelter. He requested the seam be placed under the block.

Commissioner Wooten stated if the seam cannot be hidden, then he suggested redoing the entire floor.

Commissioner Wooten inquired about citations on junkyards. He stated in the past there was a deputy in charge of trash, what happened to him?

Mr. Wood stated there was a deputy assigned to environmental clean-up duties.

Commissioner Wooten asked how did it change?

Mr. Wood stated it was done at the discretion of the Sheriff.

Attorney Graham stated there was a deputy assigned to handle illegal dumping. He stated he met with Larry Adams and Kim Bates on the junkyard in question. He stated Mr. Bates is not sworn officer and has no authority to issue citations. Complaints have to be filed in civil court requesting a mandatory injunction. This is a very long process.

Commissioner Wooten stated he has spoken with Mr. Riley, FCC, acknowledging he received the request to investigate the signal interfering on our system.

***Commissioner Wooten made the motion to send a resolution for the proposed Swan Creek interchange to the newly appointed Highway Commissioner for Yadkin County. Commissioner Casstevens seconded.**

Commissioner Phillips stated money has already been allocated for other highway projects. She stated there may be a need for the interchange, but is it a top priority. This should be discussed with the COG and the Rural Transportation.

Commissioner Wooten stated he would like this added to the Road Improvement List.

Mr. Wood stated this should be addressed to the RPO; they decide priority listing. Mr. Wood stated the priority list has already been submitted to the State.

Commissioner Wooten withdrew his motion. Commissioner Casstevens withdrew his second.

Chairman Swaim questioned some of the statement in the proposed resolution for the Swan Creek interchange.

The Board tabled the issue on the Swan Creek project.

Commissioner Phillips stated she received a letter without a signature. She will not address this type of letter. She commented on the Washington trip. She stated she attended a strategic plan workshop on setting visions. She would like to see the Board set goals for the county. She would like to invite the presenter of the workshop to Yadkin County. The cost of the workshop would be \$4,000. Commissioner Phillips stated she would like to dismiss the grant writer. She does not feel the county is getting their monies worth.

***Commissioner Phillips made the motion to dismiss the grant writer. Chairman Swaim seconded.**

Chairman Swaim inquired about the benefits the grant writer has provided for the county.

Mr. Wood stated the grant writer has relationships with Washington contacts that we do not have. He agreed that Yadkin County could do the paperwork, but we do not have the contacts. Mr. Staton is working on an EDA grant for Hwy 601 in the amount of \$940,000. He is working towards getting money earmarked for Yadkin County. Mr. Wood stated he would like to receive information about the EDA grant before dismissing Mr. Staton.

Commissioner Phillips stated she would rather spend the money on a local grant writer who knows the needs of the county. She does not feel the county is getting the attention it deserves from Mr. Staton.

Commissioner Sneed stated he would like to see Yadkin County give Mr. Staton every opportunity. He stated the Board should ask Mr. Staton specific questions requesting specific answers.

Commissioner Phillips withdrew her motion. Chairman Swaim withdrew his second.

Commissioner Wooten inquired about water.

Commissioner Phillips informed the Board that the Town of Yadkinville is holding a Visionary Meeting on March 14th at 7:00 pm.

Mr. Wood stated that per the Board's directions letters have been sent to Yadkinville and Jonesville. The information requested should be returned by March 15th.

Chairman Swaim encouraged all Commissioners to attend their sub-committee meetings.

Chairman Swaim addressed the issue of the E&R Board appointments. He stated the manner in which this board was appointed bothers him. There is no substitute for integrity and he feels this action diminished the integrity for the Board of Commissioners. Chairman Swaim reviewed the process the Board discussed to appoint the E&R Board. The Board then directed Ms. Adams to contact an approved list of names to serve on the E&R Board, but one commissioner presented his own list. Chairman Swaim stated he is embarrassed by the action of this commissioner. He suggested Mr. Wood send letters of apology to those people who agreed to serve but now have to be told their service is not needed.

Commissioner Sneed commented on an accident that happened on Country Club Road. He commended the actions of the Yadkinville Fire Department.

Brent Hawks informed the Board that the server at the COG is old and worn out. A new server must be purchased with the counties splitting the cost. There are grant funds available to cover the cost of the server. The grant information has to be in Raleigh by Friday. He is requesting the county use county funds upfront and then is reimbursed when the grant is approved.

***Commissioner Sneed made the motion to proceed with applying for the grant. Commissioner Wooten seconded. The Board voted 5-0.**

Manager comments

Mr. Wood reminded the Board of the trip to the Pfafftown Waterplant on March 10th.

Mr. Wood presented a request to hire someone part-time to do lawn maintenance around the pool and park area.

***Commissioner Wooten made the motion to approve the hiring of a part-time person for lawn maintenance. Commissioner Sneed seconded. The Board voted 5-0.**

***Commissioner Phillips made the motion to lift the hiring freeze. Chairman Swaim seconded.**

Commissioner Wooten stated the hiring freeze is needed so the Board can be kept aware of personnel issues.

Commissioner Phillips stated personnel is the job of the County Manager; not the job of the Commissioners.

The Board voted 2-3. Commissioners Sneed, Casstevens and Wooten opposed.

Closed Session

***Commissioner Wooten made the motion to go in closed session per G.S. 143-318.11(a)(6). Commissioner Phillips seconded. The Board voted 5-0.**

***Commissioner Wooten made the motion to come out of closed session. Commissioner Phillips seconded. The Board voted 5-0.**

Attorney Graham reported on delinquent taxes.

Recess

***Commissioner Wooten made the motion to recess until March 10th at 3:30 p.m. Commissioner Sneed seconded. The Board voted 5-0.**

Melinda Vestal, Clerk to the Board